

§ 4538. Additional authority

(a) No provision of this subchapter shall be construed to preempt or supersede any other program relating to milk or dairy products research organized and operated under the laws of the United States or any State.

(b) The provisions of this subchapter applicable to the order issued under section 4533(b) of this title shall be applicable to any amendment to the order.

(Pub. L. 98-180, title I, §137, as added Pub. L. 99-198, title I, §121, Dec. 23, 1985, 99 Stat. 1372.)

CHAPTER 77—HONEY RESEARCH, PROMOTION, AND CONSUMER INFORMATION

Sec.	
4601.	Findings and purposes.
4602.	Definitions.
4603.	Honey research, promotion, and consumer information order.
4604.	Notice and hearing.
4605.	Findings and issuance of order.
4606.	Required terms of order.
4607.	Permissive terms and provisions.
4608.	Collection of assessments; refunds.
4609.	Petition and review.
4610.	Enforcement.
4610a.	Investigations and power to subpoena.
4611.	Requirements of referendum.
4612.	Termination or suspension.
4613.	Implementation of amendments made by Agricultural Research, Extension, and Education Reform Act of 1998.

§ 4601. Findings and purposes**(a) Findings**

Congress makes the following findings:

(1) Honey is produced by many individual producers in every State in the United States.

(2) Honey and honey products move in large part in the channels of interstate and foreign commerce, and honey which does not move in such channels directly burdens or affects interstate commerce.

(3) In recent years, large quantities of low-cost, imported honey have been brought into the United States, replacing domestic honey in the normal trade channels.

(4) The maintenance and expansion of existing honey markets and the development of new or improved markets or uses are vital to the welfare of honey producers and those concerned with marketing, using, and processing honey, along with those engaged in general agricultural endeavors requiring bees for pollinating purposes.

(5) The honey production industry within the United States is comprised mainly of small- and medium-sized businesses.

(6) The development and implementation of coordinated programs of research, promotion, consumer education, and industry information necessary for the maintenance of markets and the development of new markets have been inadequate.

(7) Without cooperative action in providing for and financing such programs, honey producers, honey handlers, wholesalers, and retailers are unable to implement programs of research, promotion, consumer education, and industry information necessary to maintain and improve markets for these products.

(8) The ability to develop and maintain purity standards for honey and honey products is critical to maintaining the consumer confidence, safety, and trust that are essential components of any undertaking to maintain and develop markets for honey and honey products.

(9) Research directed at improving the cost effectiveness and efficiency of beekeeping, as well as developing better means of dealing with pest and disease problems, is essential to keeping honey and honey product prices competitive and facilitating market growth as well as maintaining the financial well-being of the honey industry.

(10) Research involving the quality, safety, and image of honey and honey products and how that quality, safety, and image may be affected during the extraction, processing, packaging, marketing, and other stages of the honey and honey product production and distribution process, is highly important to building and maintaining markets for honey and honey products.

(b) Purposes

The purposes of this chapter are—

(1) to authorize the establishment of an orderly procedure for the development and financing, through an adequate assessment, of an effective, continuous, and nationally coordinated program of promotion, research, consumer education, and industry information designed to—

(A) strengthen the position of the honey industry in the marketplace;

(B) maintain, develop, and expand domestic and foreign markets and uses for honey and honey products;

(C) maintain and improve the competitiveness and efficiency of the honey industry; and

(D) sponsor research to develop better means of dealing with pest and disease problems;

(2) to maintain and expand the markets for all honey and honey products in a manner that—

(A) is not designed to maintain or expand any individual producer's, importer's, or handler's share of the market; and

(B) does not compete with or replace individual advertising or promotion efforts designed to promote individual brand name or trade name honey or honey products; and

(3) to authorize and fund programs that result in government speech promoting government objectives.

(c) Administration

Nothing in this chapter—

(1) prohibits the sale of various grades of honey;

(2) provides for control of honey production;

(3) limits the right of the individual honey producer to produce honey; or

(4) creates a trade barrier to honey or honey products produced in a foreign country.

(Pub. L. 98-590, §2, Oct. 30, 1984, 98 Stat. 3115; Pub. L. 105-185, title VI, §605(a), June 23, 1998, 112 Stat. 587.)